G. R. S. IX-5]

Previous references. 1895-96

~~191~~ .

(L-R)

File No. 89

Serial Nos. 1—8

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 168.

Major ~~Part~~ B for December 1898

SUBJECT.

Appeal of Mr. K. Ramaiengar, regarding the Patelli office of the Sarramanya Kelur village.

Received 28 Commissioner's Office.

W D 1250—GPB—30,000—28-1-19

28-6-97

Rep-put up
AK
28/6/97

Submitted
BLR
29/6/97

1021

From

The Deputy Commissioner
~~of the Mysore District~~

L R 89-95

To

The Secretary to the Government of Mysore,
Revenue and General Departments.

Dated 19
Despatched } June 1897.
Received

Enclosures No. 2 Petitions and their 3 Enclosures + Canarese records

No. 1904

Reporting upon the petitions of Mr. K. Shamiengar, Khedda Superintendent, in his capacity as Executor of the will of the deceased Venkatarumiengar -

Petition Rr
26/6/97
AK
28/6/97

Y/ Dy Comm^r's order of 31/7/95 (Serial No 31 in the Veracular record) distinctly states that C-pet^r's father was doing the duties of patel till his death & that pet^r's nomination of a Thanyer could not be supported. The remarks Column of Serial No 14 (Banabaloor Repsk) shows Venkataffa as officiating in 1875

The ground of appeal advanced by pet^r were (1) that he was not allowed to have his say before the Dy Comm made his order & (2) That C-pet^r's father never did the duties of patel

It appears from the records that the first ground is true but probably the Dy Comm^r thought the facts too plain. The Dy Comm^r's report negatives the 2nd ground.

The report does not state who Narasimmaiah, pet^r's nominee, is

Sd/ D 2nd Comm^r
1/7/97

Call the Dy Comm^r's attention to the specific statement made by the pet^r that Narasimmaiah

5. The petition received with the Memo under reply and the Vernacular Correspondence bearing on the subject are herewith submitted.

I have the honor to be,
Sir.
Your most obdt Servant,

A Mundant
Deputy Commissioner
of the Mysore District

Compd [illegible]

3

Mysore Days
1904

father died not
as ~~Shaw~~ called
& call for a finding
on that point

Ask also for
information
about Varasamiah.

As from the
8th the Petitioner
not appear shall
have been ~~asked~~ called
given an opportunity
of making his
statement ask
the Court to
~~strike~~ hear
him, & read
any remarks
he may wish
to make on his
statement.

12/12/1970

13/12/97

Docket

14/12/97

14/12/97

4

Before the Government of Mysore.

Appeal No. 79 of 1896-97.

Appellant.	Vs.	Respondent.
Mr. K. Shameengar		Narinappa of Kestur, Nandya Taluk.

Subject:- Dispute regarding the Pateli office of Sarvamanya Kestur village, Nandya Taluk.

Argued & the 5th Sept.

Subd 5th Oct.

Heard 28/8/95

9582

Memorandum on power of Vakil to plead on behalf of party see G.O. No. 14 Regs & Rules & Rule IV.

27. Sept.

Appeal not admitted

Memo on power

Appeal admitted & notice to Resp. Fixed 2nd Oct. for 2 months - Time not specified - Notice issued 5/10/95

5/12/98

Draft.
5/12/98.

Before the Government of Mysore.

Appeal No. 79 of 1896-97

Appellant.	Vs.	Respondent.
Mr. K. Shamiengar		Narnappa.

Respt- Served.
Appellant's notice not returned
a/c/- to another date,
ie. 10th octobr 98.
5/9/98

Notice not rctd Served on applt
Rest recd
To be adjourned for 2 months
to 5th Dec.
10/10/98

Time -
Vide notice on file Today Sheet
Ord
20/10/98

5/12/95

Parties present

Appellt

Thammanja was doing duty by a
respectable man was
appointed by me.
The respts ~~were~~ remitted the
Rec^d notice from the Asst D.
Sub Office
There was no pleader for the
village for a long time
The respts were asked by the Sub D.
to establish his title as
Venkat Venkatappa whose name occurs
the Regr of 1875-6 as that of the father
respts There is no record of Venkatappa
having rec^d his party's of his having alienated
24 kanis Potty's amounts to 5
24 kanis
Venkatappa's pattn

Respts

31/10/87

95
81/8/11

8

GOVERNMENT OF MYSORE

Appellt " Respt has no right to the Katchi there are other huts & Respt is a stranger"

2nd C.V " But three other huts have not come forward"

1st C.V " As regards vouchers for payment of wages or profits but normally the manual & chief vouchers"

2nd C.V — & Respt " you shd have obtained the appellt & have rendered yourself accountable to the appellt"

~~huts recognised but the~~

& Appeal dismissed but respt can watch ~~that the appellt~~ their huts

5/12/90

Stamps sufficient

The Dy Comrs order complained of is dated 31/7/95. This was communicated to the petr by the Sub-Divn Officer's Yadi No. 1187 of 12/2/96 and the Amildar's Yadi No. 579 of 19/2/96 which appears to have reached the petr on 20/2/96. This petn is dated 11/5/96 but was received on 10/6/96. It is therefore out of time by 15 days.

Council case

Subd
A.S.
15/6/96

Submitted to the 2d for
A.
16/6.
16/6/96

A Miller
Sub Collector
Undelay
17/10/96

9-10-96.

Mr. Brown
30/10

Off. Examr. with up
Bdm., 30/10

1896

No. 3986 A.S. No. 790 of 96 97

Name of Petitioner, Mr. Shamiengar. Khoda Supt. in his capacity as Executor of the will of the deceased S. Venkatalu Naganger.

Village,

Taluk, Bangalore.

District,

Date of Arzi, 8/7/5-96

Date of Receipt, 8/7-6-96

Date of Disposal,

No. of Enclosure, 2

ABSTRACT. Englishe petn

Appeals against the order of the Sub-Division officer French Rocks No. 1137 12-2-96 superseding the Patel of the Sarva-manya village of Kesheri, Nandya Taluk.

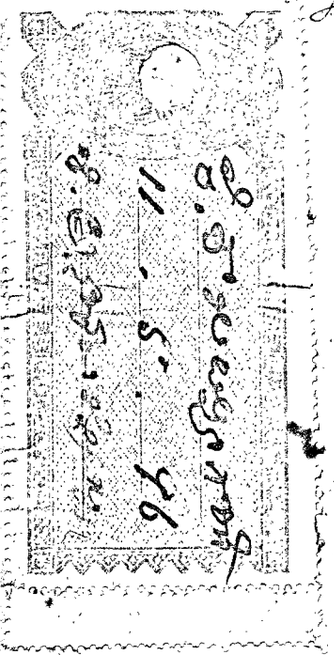
The order appealed against is as follows:

The Amildar of Nandya has submitted with his report No. 749/751 of 25-1-96, yadi No. 94 of 19-1-96 received from you in reply to yadi No. 492 of 16-1-96 addressed to you by the Amildar in connection with the taking off the work from Narnappa in pursuance of Authority No. 644 of 7-1-96 issued from this office appointing the said Narnappa as the Patel of the above village -

On the passing of the [illegible] to the village you were in accordance with the former G.O. rules ~~Engineered into~~ Consolidated and Kathum No 426 of 16-11-94 had been issued from this office appointing Narasimma who was selected by you, temporarily - Subsequently one Karnappa submitted a petition to this office stating that some time back his father having obtained the order of the Inamdar was conducting the duties for some time and praying that owing to the death of his father his name might be registered to the office - He also appealed to the Dy. Comr. urging that he was the Kaldar and that the Patel should be registered in his name. Thereupon the Dy. Comr. on perusal of the records addressed you vide No. 685 of 31-7-95 stating that the Inamdar, instead of appointing the appellant who was the Son of the Patel who was conducting the duties as Kaldar till his death, seems to have appointed another - that the reason for this could not be understood and that consequently his appointment could not be approved and that the sanction accorded from this office should be cancelled - On this an order was issued to the Amildar to give effect to the above order - It is not proper to give a reply to the Amildar stating contrary to the order of the Dy. Comr. that you would not take work from Karnappa. You should accordingly the orders continue to take work from Karnappa. If you find fault in his work or if you find him misbehaving you should report the matter. Or if you are dissatisfied with the decision of the Dy. Comr. you may appeal to the higher authority by urging proper grounds. Again an order has been issued to the Amildar to give effect to the above order duly intimating the same to you.

The grounds urged by the petitioner are in English

VK
13/6.



3986

In the Court of the Rev: Comeillor
of the Mysore Province
Mysore

MYSORE DEWAN'S OFFICE.
PETITION DEPARTMENT.
REGD. NO. 3986R
DATE 12-6-96.

Rev: Misc: No: of 1896

Applicant.

Kheda Superintendent M. Shamayyan in his capacity as an Executor of the Will of the deceased S. Venkat Rangiengar.

Respondent

Narasabha son of Venkat-abha of Suvannanya Village. Kesbur.

The applicant begs to state as follows.—

That the applicant in the exercise of his own rights and in obedience to the order of the Government appointed a Patel to the Inam Village of Kesbur.

That the Deputy Commissioner being moved by the respondent felt it necessary to interfere

respondent who is to be paid by the applicant.

That the person appointed by the Deputy Commissioner has no right to it.

That this appointment was made without any notice to the applicant & without hearing him personally or through a Pleader.

That the father of the Deputy Commissioner's nominee never acted as Patel of the Kantru Village, never kept any registers required, never received any fee for the same and never rendered any accounts either to the Government or to the Inamdars.

That the applicant ought to be heard in the matter of the appointment of a Patel to his own Village is apparent.

That in the order of the Deputy Commr there is this error of omission is also apparent.

That the applicant therefore begs the Government Deputy Commissioner

to cancell the order
No. 185 dated 31st April 1890. July 1895
communicated to the applicant
by the Amildar in his yad' No 5799 19-2-96.
and do justice to the Applicant.

Kdhamicunjur

11th May 1896
Mysore

Reg dear Sir,

Petition No. 3986 of 95.96 is said by the petr to have been posted on 11.5.96 (for which he has produced postal receipt) but it was received in the Petn Branch on 12.6.96.

2nd cr has called for an explanation for the delay.

Hussain Sheriff Lodai er Rama Rao has directed me to send the whole file togr for note as to when the petn was received here and to send the cover of the petn if found or otherwise to return the same early as the petn are togo to the Hy Court as per 2nd cr's orders.

3/12

L. Srinivasa Murti Esqr.

Dear Sir

I am sorry I
cannot find out
the cause of the
delay — the procedure
being to send the
tests to office as
soon as they are
sent home, and
on each those days
I was very busy
with tests are sent
the next day.
6/1/97 Leytin

I searched all my
papers, hence the
delay in returning
the tapes

1896

No. 1466

Name of Petitioner K. Shanmugam

Village

Taluk Kedda

District Superintendent

Date of Arzi 10-11-96

Date of Receipt 11-11-96

Date of Disposal

No. of Enclosure 1

ABSTRACT.

With reference to endorsement No. 3986 dt 2-11-96 the petitioner has submitted the dates of the following :-

dt 12-2-96 The final judgment of the Tenchrocks Subdivision Office.

dt 19-2-96 The letter of the Amildar of Mandya with the above judgment

26-2-96 The receipt of the letter

11-5-96 preparation of the appeal petition.

13-5-96 The petition registered

Referred
26/11

Rd. 24/11

Submitted
25/11

Referred to 2nd Commission order on Petn (Abstract) No 3986 dt 11.5.96 Received in office on 12-6-96.

25/11/96

Received 6.35 Pm. 26/11/96

Who received the petition referred on the 12th inst. received on date as 12-6. Nearly a month after the meeting was over. Case for which withdrawn

dt 27.11.96

Petn Draft 28/11

Mr East Prepd Draft 1/12

submitted herewith.

26-5-96 The expiry of the appeal time, if the petition is despatched 12 days before the time of expiry.

M.V.
19/11/96

(3) Pet. 1021

A.S. No. 79 of 95-96.

MYSORE DEWAN'S OFFICE,

PETITION DEPARTMENT.

L-R-89-95

OFFICIAL MEMORANDUM.

The accompanying ~~Appeal~~ Petition
No. 3986 2 1466 dated 11-5-96 and 10-11-96 respectively
received at the Dewan's Office from Mr. Shamiyappa Khedda Lingappa in his capacity as Executor of the will of the deceased Venkata Ramiyappa appealing against the order of the Sub-Division officer French Rocks regarding the Patelli of the Saravanamya village of Kesture, Nanjangud Taluk

are ~~is~~ forwarded, together with ~~its~~ their enclosures, to the Deputy Commissioner of the Mysore District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with ~~its~~ their enclosures should be returned.

By order,

2/12/96

For ~~Chief~~ Secretary.

BANGALORE,
~~Dec~~ 1896

Send to Srinivasa Murthi as ordered by the Hd Sheristadar

Reached for issue on 6/1/96 (vide slip)

M.G.C.P.B.—25-4-95—1,000

Rev 106.

No. 1904
Enclosures No. 5 and Canarese records,

DEPUTY COMMISSIONER'S OFFICE,
MYSORE DISTRICT,
Dated Mysore 16th June 1897.

L R 89-95
& 20

To

The Secretary to the Government of Mysore,
Revenue and General Departments.

SIR,

With reference to your official memorandum No. Rev 1021 dated the 2nd December 1896, forwarding for report the petition of Mr K. Shamiengar appealing against the order of this Office, regarding the Patēli of the Subramanya village of Kesthur in the Maudya Tāluk, as executor of the estate of Venkatārangiengar under a will, I have the honor to state as follows:—

2. The Subramanya village of Kesthur with its dakhala villages of Yadavanahalli, Adaganahalli and Kampalapura, appears from the Barabaloote Register of 1875 to have originally had three separate Patēls,

one

one of whom did the duties of the
Asali village (Kesthur). On the death
of the original Inamdar Siddaya
Gowda of the Asali village his son
Kempegowda though otherwise
competent was not appointed being
illiterate. But one Sanjeevayya
and his son Venkatappa were per=
mitted by the former Inamdars to
do the duties of Patel in the Asali
village. In October 1887, the above
said Venkatappa petitioned the
Amildar stating that as he had
attained his seventieth year and
unable, from age, to perform the
Patéli duties, his second son Nara=
nappa who was competent, might
be registered as Patéli of Kesthur,
in his place. Venkatappa died

soon

Soon after and Subbiah his eldest son also petitioned the Amildar in December 1887 and requested that his brother Naranappa might be appointed Patēl of Kesthur as prayed for by his father during his life time. An enquiry was, thereupon, held by the Amildar, in which Kempe Gowda and Madey Gowda, who claimed the Patēli of the dakhala villages, agreed to the appointment of Naranappa as Patēl of the Asale village. In January 1890 the Amildar reported to the Sub Division Officer French Rocks, that Naranappa might be appointed as Patēl of Kesthur and that Madey Gowda and Kempegowda who pleaded inability to do duty, solicited that their relatives Kencha and Sidda might be appointed as their

Gumastas

GOVERNMENT OF MADRAS

gumastas. Further enquiries were instituted by the Amildar under the orders of the Sub Divl Officer and a final report was made by him in February 1891 to the effect that none of the huckdor Patels were able, according to their own statements, or appeared competent, to perform the Patel duties of both the Asali and dak-hala villages together, and that, as already proposed, the appointment of Naranappa might be sanctioned as he had produced certain takeeds from the Inamdars in proof of his enjoyment of the Office.

3. The Sub Division Officer, in reply, enquired, in March 1891, if the Gramani (managing Inamdar) approved of Naranappa's appointment.

Nothing

Nothing appears to have transpired in the matter till May 1894 when Mr Shamiengar intimated to the Talukh in reply to the Amildar's reference to him regarding Naranappa, that no Patel was necessary as there was an agent and Gumasta already appointed by him for the village. In June 1894 the Amildar forwarded this reply to the Sub Division Officer and reported the existence of the necessity for the appointment of a Patel to attend to police duties in the village. Mr Shamiengar was, thereupon, required under the Sub Division Officer's order to appoint a Patel within a month. He recommended the appointment of

of one Narasimhiah and the same was approved by the Sub Divn Officer temporarily in November 1894. Naranappa and the other claimants to the Patelé were, at the same time, referred to establish their claims in a regular suit.

4. Naranappa, thereon, appealed to this Office in April 1895 when my predecessor cancelled the appointment of Narasimhiah observing that the reasons for the Inamdars preferring of a stranger to the heir of a rightful claimant, were not clear. This order was communicated to M.r Shamiengar and his present petition to Government is an appeal against that order.

The

5. The petition now received with the memo under reply and the Vernacular correspondence bearing on the subject are herewith submitted

I have the honor to be,
Sir,
Your most obedient Servant
(Signed) C. Mudiya
Deputy Commissioner,
of the Mysore District

For the original vide notes attached to this file —

1	2	3	4	5	6	7	8	9	10	11
			232	37	331	2	11			
			109	17	90	13	4			
			155	41	174	10	6			
			1013	241	1136	10	11			
			855	195	1293	13	6	5 13 1		
								5 13 1		
			351	73	305	12	2	5 13 1		
			1206	248	1599	9	8	17 7 3		
			1201	310	1368	1	2	1 7 3		2
								1 7 3		
								1 7 3		
			621	194	864	6	2	1 7 3		4
			206	39	132	14	6	1 7 3		
			2028	543	2365	5	10	8 11 6		6
			445	125	428	15	8	3 10 4		
								3 10 4		
								7 4 8		
			433	126	~~803~~ 798	~~9~~ 11	~~10~~ 11	9		
			202	61	246	6	4			
					226	10	2			
			635	187	1025	6	1	6		

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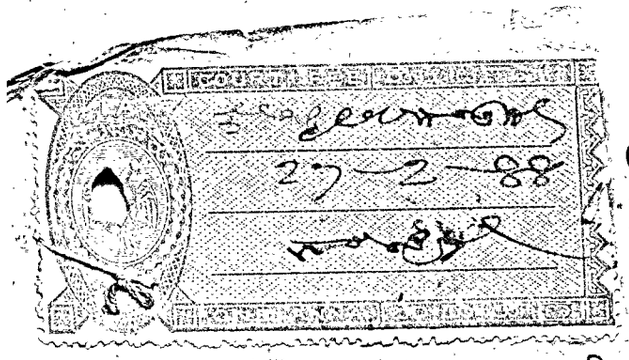

From

The Secretary to Govt
Govt and Rev. Dept

To

The Deputy Commr
L. R. Seyone Esq
Sl 5

Dated 16th

Despatched 17th Dec/97.

Received

General No. 5-306 P.

P. No. 727

Enclosure No.

The Dy. Comrs letter No
1904 dated 18th June/97, Sub-
mitting a report on the
petition of Ser. K. Shamiengar,
Ichedda Supte, regarding the
Palaki of the Sanne manya
village of Kesbur in the
Nandya Taluk.

With reference to the
above, has the honor to
invite the attention of the
Deputy Commr to the specific
statement made by the
petr, that Counter petitioner
Nanappa's father did not
ask as Palaki and to
request that he will be
so good as to submit
his

and also a report as to who Manasinghe, the petitioner's nominee is.

2. The Deputy Commissioner is further requested to give an opportunity to the petitioner for making his statement, hear him and send any remarks he may wish to make on his statement

3. The records received with the above letter with the petitions and their enclosures are returned for reference and resubmission

17-12-97 Sent by Parcel

By order

for Secretary

14/12/97

16-8-98

(6)

1898-98 1116

G. 3 1898

Pet 162.

REVENUE DEPARTMENT DEWAN'S OFFICE

From

The Deputy Commissioner

LRS 9 ~~Mysore~~ District.

To

826.

The Secretary to the Government of Mysore,
General and Revenue Departments

Dated 10th
Despatched } August 1898
Received

Enclosures No. Petition with enclosure & Vernacular record.

General No. 161

Submitting further report on the petition of Mr. K. Shamiengar regarding the Patéli of the Sarva: Manyam village of Kesture in the Maudya Taluk.

Petition Rd
13/8/98

Rep put up
16/8/98
AK
Subd.
17.8.98
Mly

No. 161

Enclosures No. Petition with its enclosures & vernacular record.

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,
Dated 10th August 1898.

To

The Secretary to the Government of Mysore,
General and Revenue Departments.

SIR,

Adverting to your docket No. 5306/Pet. 7271, dated 16th December 1897 calling for further report on the petition of Mr. K. Shamiengar regarding the Patel of the Karnamaya Village of Kestur in the Mandya Taluq, I have the honor to submit herewith Mr. K. Shamiengar's written statement dated 17th April 1898 on the subject. This statement recites among other things that counter-petitioner Narnappa's father never acted as Patel of the Village, that he was never paid for the work and that there is no record to show that Venkatappa ever conducted the duties of Patel.

Narnappa examined two witnesses, Appannachar and Em...

Sreenivasa Jois and has produced the following two exhibits in support of his allegation that his father Venkatappa officiated as Patel:-

(1) Exhibit A - A Sanad dated 30th March 1865 issued to Venkatappa under the signature of Gramani Gunja Sreenivasa Jois and other Srikidars appointing him as Patel of the Village.

(2) Exhibit B - A Sanad dated 5th Bahula of Margasira of the year Krodhana issued to Patel Venkatappa under the Signature of Gramani Gunja Sreenivasa Jois Conveying instructions to the former regarding the disposal of the crops of certain lands of the Inam Village.

The first of these witnesses has deposed that he does not know whether

Venkatappa acted as Patel or not but he is aware that one Tammia did the duties of Patel for one or two years, though the witness could not state by whom the latter was appointed.

The 2nd witness Gunja Sreenivasa Iyer who was the Gramani or manager of the Village for about 14 years and who owned a Vritti therein, has sworn that Venkatappa was the Patel of Kestur both before and after the Village came under his management. He admits having signed exhibits A and B and states that the former was issued with the consent and under the signatures of the other Vrittidars. On being questioned as to the cause of the issue of exhibit A appointing Venkatappa as Patel when he had already been holding the office, the witness explained that the Sanad was issued at Venkatappa's request in recognition of the

(Patel's back to the post of the
Village. Ganja-Sreenivasa Jois
adds that a few years after he had
assumed the gramanishipp of the
Village. Venkatappa pleaded inabi-
-lity to continue as patel on account
of old age and that at his request his
(Venkatappa) sister's son Samuia
was appointed to do the duties of
the office till Venkatappa's sons
attained their majority and that
Samuia officiated until he (wit-
-ness) vacated the gramanishipp.
The witness further states that
Venkatappa was paid for his work
though he could not recollect at
what rate.

Mr. Shamiengar examined four
witnesses, viz. 1. Subramanya,
2. Subbanna, 3. Para Shetty and
4. Ramachendrachar, to disprove
Narnappa's assertion that his
father Venkatappa acted as Patel

The first two witnesses have de-
-posed that Venkatappa did not

officiate and that Tamma did Patel's work for a few years. The second witness, Subbanna who professes to have been the Shanbog of Kestur since the year 1814, does not question the genuineness of exhibits A and B but states that he was not aware of the issue thereof and that no one officiated as Patel in pursuance of the same. The 3rd witness states that there has been no patel for Kestur ever since he arrived at years of discretion but that Tamma was working for one or two years. The 4th witness Ramachendrachar who was the Gramani of the Village before Ginja Sreenivasa Jois, has deposed that one Siddegowda was originally the patel of Kestur and that the latter died about 50 years ago. He states that during the time he was employed as Gramani the Vrittidars of the Village expressed a wish to appoint

Venkatappa Patel, that he (wit-
-ness) consented to the appoint-
-ment and that a Takeed signed
by himself and all the Vrittidars
of the Village was issued to Venkatapp
The witness adds that Venkatappa
being illiterate did not act as
Patel until he (witness) vacated
the Gramanichip and that he
does not know whether anyone
did Patels' work since.

Jamma referred to above was
examined by me as a witness
in the case. He has deposed that
Counter-petitioner Karnappa's
family has been in the enjoy-
-ment of the paleli of-kastur from
a period anterior to the alienation
of the Village and that Venkatapp
officiated as Patel for 20 or 25 years
He states that at the instance of
Venkatappa and with the per-
-mission of and under a Takeed

from Eramane (temple) Nagavaram
Jois, he (witness) did patels' work
for Venkatappa for 10 or 11 years and
that at the end of that period he
vacated the place to be taken up
by his (Venkatappa) sons who had
at the time become qualified to
perform the duties of the office.

The above is a brief summary
of the evidence adduced by both
the parties in the case.

Exhibits A and B are in my
opinion favorable to counter-peti-
-tioner Varadappa's cause as they
establish the fact that Venkatappa
was the patel of Kestur and that
he was recognised as such by the
Inamdars of the village. The evi-
-dence afforded by these docu-
-ments is materially strengthened
by the patels "misal" Registers
prepared by the Taluq Authorities
in 1875 and 76 in which Venkatapp
name is shown as patel of the
village. The fact of enjoyment
of

of the hak and of the performance of the duties of the office by Venkatappa has also, I think, been sufficiently proved by the evidence of Ganja Sreenivasa Jois and Jamnia, both of whom are important witnesses on the point. Jamnia admits that he officiated for Venkatappa at the instance of the latter and in this respect his statement is corroborated by Ganja Sreenivasa Jois who has deposed that he appointed Jamnia at the request of Venkatappa.

The evidence of the Shamiengar's witnesses, Subbanna and Rama Chendrachar goes also in some measure to support the petitioner's case as the former has nothing to say against exhibits A and B, while the latter admits the appointment of Venkatappa as patel during the time he was gramani of the village.

(C-pat 7).

The oral testimony of the Shama Iyengar's witnesses is not per se

sufficient to negative the facts presented by the documentary evidence produced by Narnappa and Mr Shama Iyengar has adduced nothing to disprove the genuineness of exhibits A and B nor has he shown by any satisfactory and reliable record that Venkatappa did not act as patel.

Under the foregoing circumstances, I cannot but find that Narnappa's father Venkatappa was patel of Kestur and that he did perform the duties of the office.

Mr. Shamiengar states that his nominee Narasimmia is a well to do resident of Kestur paying a kandayam of more than Rs. 200.

The Vernacular proceedings connected with the case, as per accompanying Jerisht, are herein

submitted for reference and ob-
- liging return when no longer re-
- quired.

I have the honor to be

Sir

Your most obedient servant

E Marshall.

Deputy Commissioner

Mysore District.

Compd
Merr

ఈ పద్ధతి యథాతథంగా ఇతర ప్రాంతాలకు కూడా వర్తింపజేయాలని
తీర్మానించడమే గాక కొన్ని సూచనలు చేయడం
జరిగింది అంటూ, ఇదంతా ఎప్పటికప్పుడు
వివరించడం అవసరం.

ఆ మేరకు ఈ సంబంధిత సర్కులర్ ను
జతపరిచాను.

దీనిని 10 వ తారీఖు తెల్లవారితే 1998 కి
ముందుగా పంపించగలరు.

By order

Draft:

For Secretary.

ఇదంతా వివరంగా ఎందుకు అంటే ఇంతకు
ముందు ఇచ్చిన ఉత్తర్వులు కొన్ని కారణాల వల్ల
ఈ ప్రాంతానికి రాలేదు.

9 వ తారీఖు తెల్లవారితే 1998 కి
ముందుగా పంపించగలరు.

By order

For Secretary.

S.V.

Proceedings of the Govt of Mysore

Appeal No 79 of 1896-97

Appellant M. K. Shamiengar

Respondent Ivannappa

L. R 89 — 95

Read:— 8 & 8.

1) Petition of appeal presented by M. K. Shamiengar as Executor of the will of Venkatarazangiengar, deceased Inamdar of Devanamanya Kestur in the Mundya taluk, against the order of the Dy: Commr of Mysore, cancelling the appointment of the appellants nominee to the Patel of the village and appointing Respt Ivannappa in his place.

2. Correspondence ending with letter No 161 of 10th August 1898 from the Dy: Commr Mysore District submitting further report on the above petition

3. Records of the case, from which the facts appear to be as follows:—

In October 1887, Respondents father Venkatappa presented a petition to the Amildar stating that he was too old to discharge the duties of the Patel Office of Kestur

Draft: for approval
Sup[d] 5[th] Committee
9/12/98

and praying that his second
son Narrappa might be
appointed in his stead.
He died soon after and
Narrappa claimed the Office.
After enquiry the Amildar
reported in 1890, to the Sub-
Dy Officer of French Rocks
that ~~Venkatappa was~~
~~not a Barabaddar, the re-~~
~~presentatives of the Barabad-~~
~~dars, who were doing the~~
~~Patel duties of Dattihar village~~
~~assisted Venkatappa's heirs~~ as entitled
held the Office for a long time there was
no objection to
Narrappa's appointment.
In March 91, the Sub Dy Officer
directed the Amildar to
ascertain the wishes of the
Manager of the village regarding
Narrappa's appointment.
The Appellant represented
stated in reply
to the Amildar's ~~Yadi~~ that
as his agent managed every-
thing connected with the
village, no Patel was required. He was however informed that
Post as a Patel was considered
necessary to attend to the
Police duties of the village

the appellant was, under the
~~Sub Dn officer's order,~~ served
~~with a notice intimating~~
and that if he failed to ~~appoint~~ nominate
~~a Patel to the village within~~
one within
1 month, ~~one would be appointed~~
the would make the appointment
by Govt. Thereupon the appellant
intimated to the Amildar his
having appointed one Nara-
simhaiya, a resident of the
village, to the Office. In Nov.
1894, the Sub Dn Officer sanctioned
this appointment, but on
~~and informed~~
~~him accepted to a Register not~~
~~to entertain~~ his right. On
appeal, the Dy: Commr, on 31st
July 1895, cancelled ~~the appointment~~
~~and directed~~ and
appointed Ivenappa to the Office
on the ground that the claims
of the latter, who was the son
of the last Officiator, could
not be ignored. The present
appeal is against this above
order. The appellant having
urged in his appeal petition to
Govt that Venkatappa never
held the Office, the Dy: Commr,
who was ~~requested~~ called upon to ~~submit~~
report
his finding on the point,
submits his finding,
~~Ivenappa reports~~ that he
has, upon a careful consider-
ation of the

~~Utilis~~ from oral and documentary evidence (including the Patali Misal Regr. of 1875-6) addduced in this case, found that Nurnappa's father Venkatappa was Patel of Kestur and ~~did~~ performed the duties of the Office for a long time.

Order. Nr. 4207 / P.7.45-98 } 13.12.98 / 13

Govt observe that it is abundantly proved that Respondent's father Venkatappa was the hakdar Patel who, prior to 1887, performed the duties for more than 45 or 50 years. The present Respt, as his son, is entitled to the Patelship, but he must perform the duties efficiently and in subordination to the Inamdar.

2. The Dy: Commrs order appointing Nurnappa is therefore upheld and this appeal is dismissed

10281
9.12.98

Draft
C,I,2

for Secretary

To
The Dy Commr Mysore
Dist. with records

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15-12-98